
MEDINA PLANNING COMMISSION

Regular Meeting Minutes – July 6, 2004

COMMISSIONERS PRESENT: Vice Chair Mark Nelson, Robert Brog, Holly Greenspoon, and James Lawrence.

COMMISSIONERS ABSENT AND EXCUSED: Mark Lostrom, Bret Jordan, and Nancy Price.

STAFF PRESENT: Planning Director, Joseph Gellings, City Engineering Consultant Cynthia Lamothe, and Recording Secretary, La' Tanya Banks.

CALL TO ORDER:

Chair Nelson called the regular meeting of the Medina Planning Commission for July 6, 2004, to order at 7:00 p.m. in the Medina City Hall Council Chambers.

Chair Nelson introduced Cynthia Lamothe, representing Roth Hill Engineering Partners, and La Tanya Banks, Acting Recording Secretary.

APPROVAL OF MINUTES:

June 4, 2004

COMMISSIONER LAWRENCE MOVED TO APPROVE THE MINUTES OF JUNE 4, 2004, AS WRITTEN. THE MOTION WAS SECONDED AND PASSED WITH ALL IN FAVOR.

NON-AGENDA PUBLIC COMMENTS:

Paul Saad 7644 N.E. 8th – Medina

Mr. Saad addressed the Commission regarding the garbage dump and trailer in front of City Hall, and reminded the Commission that City Hall represented the City, and that it was not a good representation of the City. “I would like to encourage the Commission to take this on as an issue and try to resolve it soon because it has been 5 to 6 years,” Mr. Saad stressed.

Commissioner Lawrence suggested that Mr. Saad contact Chair Lostrom on this issue because he was on the Commission at the time this issue was brought up and he has no recollection of ever giving it a variance.

Commissioner Lawrence advised that Chair Lostrom has obtained a copy of the Substantial Development Permit that was issued in 1998, and stated that he did not believe that it was ever actually discussed in front of the Commission.

Chair Nelson explained that with the consensus of the Commission, they could make a recommendation to Council stating that the Commission felt that something should be done about this issue and if they would like the Commission to take a look at this issue, they would,

PUBLIC HEARING: Construction Mitigation Plan, Level II – Josefsberg - 402 – 87th Avenue N.E.

Chair Nelson opened the public hearing: Construction Mitigation Plan, Level II - Josefsberg – 402 – 87th Avenue N.E.

**Cynthia Lamothe - City Engineering Consultant
(Representing Roth Hill Engineering Partners)**

Ms. Lamothe addressed the Commission and gave a detailed background on the proposed project, explaining that this was the second version which complies with the evaluation criteria specified in the Medina Municipal Code, and went on to respond to concerns regarding early morning noise created by a large work crew.

Ms. Lamothe stressed that the Commission may wish to require a later start for the entire project if based on observation or neighbor complaints that a later start is warranted, but went on to request that the Commission give the City Engineering Consultant the authority to require a 7:15 a.m. start.

In summary, Ms. Lamothe stated that it was the recommendation of staff that the Commission hold a public hearing on the content of the Josefsberg Level II Mitigation Plan, and went on to list the conditions for approval of the Plan.

Chair Nelson swore in the speakers in the audience prior to their testimony.

**Paul Saad
Assisted by Doug Bovee 1 Lake Bellevue Drive Ste 112 – Bellevue**

Mr. Saad re-addressed the Commission assisted by Doug Bovee, and provided clarification on questions previously addressed by the Commission with the aid of a drawing of the proposed property.

Mr. Saad illustrated how on the north side of the property, their goal was to maintain the native natural greenbelt along the retaining fence, and went on to explain in detail how the wall of the house itself would act like the fence they are being asked to potentially build, and advised that he was open to some input from the neighbors as it was his

contention that the fence that was proposed would cause more problems than it would prevent.

Mr. Gellings swore in Mr. Everett Lloyd

Everett Lloyd 414 Upland Road – Medina

Mr. Lloyd addressed the Commission noting that he was the neighbor to the north of the proposed property, and explained that the retaining wall was old railroad ties, some of which are starting to rot away, and stressed that this was why they were more concerned with the amount of vegetation the building of a 10ft barrier would take away.

Mr. Lloyd requested that the Commission address the physical retaining wall and whether or not it was suitable for long-term slope and grate protection, and went on to explain that they were not concerned about the noise because most of the noise was going to be below their grade level, but that they were concerned about the possibility of tree roots being cut which could cause the tree to be blown down as has happened previously.

Mr. Bovee pointed out on the map where the existing retaining wall was located, and provided the Commission with photos of the retaining wall, the fence and vegetation to aid with their discussion, and assured the Commission that a landscape architect was involved on their team, and an arborist would be involved when applicable.

Martha Woodman 401 Upland Road – Medina

Ms. Woodman addressed the Commission questioning what would happen to her mailbox, which is located on City property.

Mr. Saad informed the Commission that they would find a way to keep her mailbox, and suggested that Ms. Woodland speak with her mail carrier for direction on where it should be located.

The Commission and staff began a detailed discussion on the Construction Mitigation Plan, Level II, Josefsberg – 402 – 87th Avenue NE, and tree mitigation, and gave their individual suggestions and comments.

After further discussion, it was the consensus of the Commission to amend the proposal to include that the existing retaining wall and fence be maintained through construction. The option to require a 10ft fence will remain, and the neighbors to the north will be consulted as necessary. It will not be not totally up to the City Engineer.

Mr. Gellings informed the Commission that there was a general citywide applicable requirement that existing trees be protected. He did not think it specified just the trees on the project site, and advised that he could make sure that their landscaper added a condition of approval through her review. He will be getting back to the Commission on that issue.

COMMISSIONER LAWRENCE MOVED TO APPROVE THE CONSTRUCTION MITIGATION PLAN C-0592, SUBJECT TO STAFF RECOMMENDATIONS, RECOMMENDATION 1 BEING AMENDED TO STATE THAT THE RETAINING WALL IS NOT REQUIRED NOW BUT WILL BE REQUIRED IF DETERMINED BY THE CITY ENGINEER CONSULTANT ONLY AFTER THE NEIGHBOR TO THE NORTH ALSO REQUESTS IT AS WELL. THE CURRENT FENCE AND RETAINING WALL IS TO BE MAINTAINED. THE MOTION WAS SECONDED AND WAS PASSED WITH ALL IN FAVOR.

Discussion: Side Yard Setback / Reconstruction Threshold

Mr. Gellings addressed the Commission regarding side yard setbacks/reconstruction threshold, and reminded that they had looked at the side yard setbacks for large and small lots, and looked at the notion for a unified solution to all lot sizes and came to the conclusion that when addressing the hardships of small lot owners as directed by Council, it seemed like the biggest hardship that the homeowners were facing was the reconstruction definition.

Mr. Gellings provided the Commission with 2 alternatives utilizing a benchmark cost per square foot derived from actual Medina projects, and went on to explain that Alternative A used a 40% threshold, and Alternative B used a 60% threshold.

The Commission and staff began a detailed discussion on side yard setbacks/reconstruction threshold, and gave their individual suggestions and comments.

After further discussion, the Commission agreed to use Alternative B for the next study.

Discussion: Site Plan Review

Mr. Gellings addressed the Commission regarding the Site Plan Review, reminding of their previous discussions last summer which resulted in a recommended ordinance from the Commission, that was first viewed by Council in January and February 2004, study sessions.

Mr. Gellings explained that there was a mixture of opinions from within the Council questioning whether or not this was a good idea and how effective it might be for the state of objectives.

Mr. Gellings continued to explain that one of their main concerns was would the objectives be clear to applicants, and reminded that Council requested that staff undertake a Legal Defensibility Review to make sure that our ordinance is as clear as possible for applicants.

After further discussion, the Commission elected to postpone this discussion until more Commissioners were present.

NEW BUSINESS:

Commissioner Lawrence informed the Commission that there was a sign approximately 8ft in height on Bellevue Way which listed construction rules for all to see and reminded that there had been previous discussion on where to post construction rules for projects, and suggested that staff look into this.

OLD BUSINESS:

None

REPORTS FROM MEMBERS:

None

REPORTS FROM STAFF:

None

ADJOURNMENT:

COMMISSIONER LAWRENCE MOVED TO ADJOURN. THE MOTION WAS SECONDED AND WAS PASSED WITH ALL IN FAVOR.

The meeting was adjourned at 9:54 p.m.

La Tanya Banks, Recording Secretary